

REMARKS

Claims 1-21 are pending in this application. By this Amendment, claims 1, 16, 17, 20 and 21 are amended; and claim 22 is canceled. Reconsideration of the present application is respectfully requested.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-21 under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. US 2002/0119327 A1 to Arkles et al. ("Arkles," now issued as U.S. Patent No. 6,586,056), and claim 22 under 35 U.S.C. §103(a) over Arkles. The rejections are respectfully traversed.

Arkles does not disclose or suggest a plasma enhanced method for fabricating a film in which, the noble gas plasma is produced and that noble gas radicals and ions subsequently collide with the reactant gas to form reactant gas radicals and ions to form a plasma of the reactant gas, "the electric energy being applied between electrodes to form the plasma, the distance between the electrodes being less than 5 mm," as recited in claims 1, 16, 20 and 21 or "the noble gas radicals and ions being excited by the optical energy and colliding with the reactant gas to form plasma," as recited in claim 17.

Instead, Arkles is drawn specifically to an atmospheric pressure chemical vapor deposition (APCVD) process. See, for example, page 6, paragraph 48 of Arkles. The noble gases used in the process of Arkles are used merely to dilute the precursor, and are not used to form plasma. Arkles merely discloses an electrical bias on the substrate (paragraph 38) and an ultraviolet radiation acting "directly at the interface between the substrate and precursor" (paragraph 43). By definition, the precursor of Arkles cannot be "premature decomposition" (paragraph 40), thus cannot form an excited state of plasma as currently claimed.

Accordingly, withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 is respectfully requested.

For at least these reasons, it is respectfully submitted that independent claims 1, 16, 17, 20 and 21 are patentable over the applied references. The remainder of the claims that depend from independent claims 1 and 17 are likewise patentable over the applied references for at least the reasons discussed above, as well as for the additional features they recite.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Richard J. Kim
Registration No. 48,360

JAO:RJK/mdw

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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